

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ANTONIO HEGWOOD,

Plaintiff,

vs.

INTERNATIONAL PAPER COMPANY,

Defendant.

Case No. 4:24-cv-00241-MTS

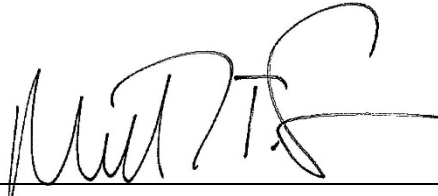
**MEMORANDUM AND ORDER**

This discrimination and retaliation action is before the Court on Defendant’s Motion to Dismiss, which seeks dismissal of three of the four counts in Plaintiff’s Complaint for failure to state a claim upon which relief can be granted. *See* Doc. [10]; *see also* Fed. R. Civ. P. 12(b)(6). After a complete review of the briefing on the Motion, and after considering the proper standard of review, the Court concludes that Plaintiff’s Complaint states a plausible claim for relief on all counts. *See Lustgraaf v. Behrens*, 619 F.3d 867, 872–73 (8th Cir. 2010) (explaining standard of review on motion to dismiss for failure to state a claim); *Ashcroft v. Iqbal*, 556 U.S. 662, 679 (2009) (“[A] complaint that states a plausible claim for relief survives a motion to dismiss.”); *see also Wilson v. Ark. Dep’t of Hum. Servs.*, 850 F.3d 368, 372 (8th Cir. 2017) (“‘[I]t is not appropriate to require a plaintiff to plead facts establishing a prima facie case’ under *McDonnell Douglas*.” (quoting *Swierkiewicz v. Sorema N.A.*, 534 U.S. 506, 511 (2002))).

Accordingly,

**IT IS HEREBY ORDERED** that Defendant's Motion to Dismiss Plaintiff's Complaint, Doc. [10], is **DENIED**.

Dated this 25th day of June 2024.

A handwritten signature in black ink, appearing to read 'MTS', is written above a horizontal line.

MATTHEW T. SCHELP  
UNITED STATES DISTRICT JUDGE